

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRUSTEES OF THE DISTRICT COUNCIL :
NO. 9 PAINTING INDUSTRY INSURANCE :
FUND, TRUSTEES OF THE DISTRICT :
COUNCIL NO. 9 PAINTING INDUSTRY :
ANNUITY FUND, TRUSTEES OF THE :
DISTRICT COUNCIL NO. 9 FINISHING :
TRADES INSTITUTE, TRUSTEES OF THE :
INTERNATIONAL UNION OF PAINTERS :
AND ALLIED TRADES NATIONAL :
PENSION FUND, and DISTRICT COUNCIL :
NO. 9 INTERNATIONAL UNION OF :
PAINTERS AND ALLIED TRADES, :

Plaintiffs, :

v. :

CHOICE OF COLORS, INC., :
Defendant. :

ORDER

21 CV 2322 (VB)

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On March 17, 2021, plaintiffs commenced the instant action against defendant Choice of Colors, Inc. (Doc. #1).

On March 31, 2021, plaintiffs docketed a proof of service indicating service on defendant on March 26, 2021. (Doc. #6). Accordingly, defendant had until April 16, 2021, to respond to the complaint. See Fed. R. Civ. P. 12(a)(1)(A)(i).

To date, defendant has not answered, moved, or otherwise responded to the complaint.

Accordingly, provided that defendant remains in default, plaintiff is ORDERED to seek a certificate of default as to defendant by **April 28, 2021**, and thereafter to move, by order to show cause and in accordance with the Court's Individual Practices, for default judgment against defendant by **May 12, 2021**. **If plaintiffs fail to satisfy either deadline, the Court may**

dismiss the case without prejudice for failure to prosecute or failure to comply with court orders. Fed. R. Civ. P. 41(b).

Dated: April 21, 2021
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti", written over a horizontal line.

Vincent L. Briccetti
United States District Judge